

FEB 28 2005

Facsimile No.: 703-872-9306

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IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE  
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Application Number: 09/478,299  
Applicants: John L. Schenk  
Filed: January 5, 2000  
Title: Method of Cryopreserving Selected Sperm Cells  
Group Art Unit: 1654  
Examiner: M. Meller  
  
Assignee: XY, Inc.  
Attorney Docket: 22091-701  
Customer No.: 33549

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## PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)

On behalf of the applicant, the undersigned attorney hereby requests an extension of time pursuant to 37 C.F.R. §1.136(a). This request is submitted in relation to a response due to the office action mailed August 26, 2004, having a shortened statutory period for response of three months. A response to this action on the merits would otherwise be due November, 26, 2004; however, it is requested that this time period be extended for three months to and including February 28, 2005 (as February 26, 2005, was a Saturday). This extension will thereby encompass the statutory period of six months pursuant to 35 U.S.C. §133. Pursuant to 37 C.F.R. §1.17, an extension fee of \$1,020.00 is submitted with this Petition. In the event the fee has been inappropriately calculated, please allow the maximum extension possible and inform me at your earliest convenience so that any deficiency or error can be corrected immediately.

Dated this 28<sup>th</sup> day of February, 2005

Respectfully submitted,

SANTANGELO LAW OFFICES, P.C.

By: 

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